

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:23-cv-00022-D-KS

KEVIN COLLIER POSEY,

Plaintiff,

v.

CAROLYN COLVIN,¹

Commissioner of
Social Security,

Defendant.

ORDER

The court has considered plaintiff's Motion to Set Aside Judgment [D.E. 52],² and defendant's Response [D.E. 53]. The court DENIES as meritless plaintiff's motion.

SO ORDERED. This 16 day of January, 2025.



JAMES C. DEVER III

United States District Judge

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

² Plaintiff also filed two "continuation" briefs, which the court interprets as reply briefs. See [D.E. 54, 55].